

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

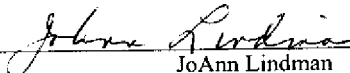
Application No.: 10/762,643 Confirmation No.: 5318
Applicant : Scott Peterson
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Examiner : Severson, Ryan
Title : RETRIEVABLE BLOOD CLOT FILTER WITH
RETRACTABLE ACHORING MEMBERS
Docket No. : 1001.1735101
Customer No. : 28075

APPEAL BRIEF UNDER 37 C.F.R. § 41.37

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By _____


JoAnn Lindman

Dear Sir:

Pursuant to 37 C.F.R. § 41.37, Appellant hereby submits this Appeal Brief in furtherance of the Notice of Appeal filed on October 19, 2009, and of the Notice of Panel Decision from Pre-Appeal Review mailed December 23, 2009. Appellant authorizes the fee prescribed by 37 C.F.R. § 41.20(b)(2) in the amount of \$540 to be charged to Deposit Account No. 50-0413. Permission is hereby granted to charge or credit Deposit Account No. 50-0413 for any errors in fee calculation.

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I. REAL PARTY IN INTEREST

The real party in interest is the assignee of record, Boston Scientific Scimed, Inc., a corporation organized and existing under and by virtue of the laws of Minnesota, and having a business address of One Scimed Place, Maple Grove, MN 55311-1566. An assignment from the inventor, Scott Petersen, conveying all right, title and interest in the invention to SciMed Life Systems, Inc. has been recorded at Reel 014930, Frame 0166. A Change of Name from SciMed Life Systems, Inc. to Boston Scientific Scimed, Inc. has been recorded at Reel 018505, Frame 0868.

II. RELATED APPEALS AND INTERFERENCES

There are no known appeals or interferences that will directly affect, or be directly affected by, or have a bearing on the Board's decision in this appeal.

III. STATUS OF CLAIMS

Claims 1-3, 5-7, 9, 16-26, and 33-36 remain pending of which claims 3, 7, 18, 22, 23, and 26 were previously withdrawn. Claims 4, 8, 10-15, and 27-32 have been canceled from the application.

Claims 16, 17, 20, 21, 25, and 33-35 stand finally rejected under 35 U.S.C. §103(a) as being unpatentable over Ravenscroft et al., U.S. Patent No. 6,007,558, in view of Suon et al., U.S. Patent No. 6,342,062.

Claims 1, 2, 5, 6, 9, and 19 stand finally rejected under 35 U.S.C. §103(a) as being unpatentable over Ravenscroft et al., U.S. Patent No. 6,007,558, in view of Suon et al., U.S. Patent No. 6,342,062, and Whitcher et al., U.S. Patent No. 6,273,901.

Claims 24 and 36 stand finally rejected under 35 U.S.C. §103(a) as being unpatentable over Ravenscroft et al., U.S. Patent No. 6,007,558, in view of Suon et al., U.S. Patent No. 6,342,062, as applied to claims 16 and 35 and further in view of Herbert et al., U.S. Patent No. 6,482,221.

Claims 1, 2, 5, 6, 9, 16, 17, 19-21, 24, 25, and 33-36 are currently appealed.

IV. STATUS OF AMENDMENTS

Proposed amendments to correct a typographical error and the dependency of two claims were filed in an After Final Amendment and have been entered by the Examiner for that purpose.

V. SUMMARY OF CLAIMED SUBJECT MATTER*

The invention relates generally to a retrievable blood clot filter for use in medical procedures and a retrieval apparatus for retrieving or repositioning the blood clot filter apparatus within a blood vessel. The blood clot filter comprises an apical head and a plurality of elongated filter legs each having a joined end section and a free end section, each filter leg including a support member having a first end coupled to the apical head, and a second end configured to expand outwardly away from the filter longitudinal axis and being coupled to an anchoring member configured to releasably secure the blood clot filter device to the inner wall of a blood vessel. A plurality of filter tubes are each configured to slidably receive support members therein, said filter tubes being joined together at a hub and having a landing pad fixedly secured to a second end of each filter tube. Also included is a retrieval apparatus for retrieving or repositioning the blood clot filter within the blood vessel, said retrieval apparatus including a tubular inner member configured to grasp the apical head, a middle tubular member configured to engage the hub, and an outer sheath for encapsulating the blood clot filter device.

Turning now to independent claim 1, which is directed to a retrievable blood clot filter (see for example, specification page 2, line 18 to page 3, line 7; page 6, line 12 to page 8, line 20; Figures 1, 2, and 9-13; reference numeral 10) actuatable between a collapsed position and an expanded position within a blood vessel, comprising an apical head (see for example, specification page 2, line 19; page 6, line 14 to page 7, line 2; Figures 1, 2, and 9-13), a plurality of elongated filter legs (for example specification page 2, lines 19-23; page 6, line 14 to page 7, line 4; Figures 1, 2, 5, 6, and 9-13; reference numeral 14) each having a joined end section (for example specification page 6, lines 15-20; Figure 1; reference numeral 16) and a free end section (for example, specification

* The references to the specification and drawings provided herein are exemplary, and are not deemed to be limiting.

page 6, line 15; page 7, line 6; page 8, line 20 to page 9, line 2; Figures 1, 5, and 6; reference numeral 18), each filter leg including a support member (for example specification page 2, line 23 to page 3, line 2; page 7, line 1 to page 8, line 18; Figures 1, 5, and 6; reference numeral 20) having a first end (for example, specification page 7, lines 1-4; Figure 1; reference numeral 22) coupled to the apical head, and a second end (for example, specification page 7, lines 1-4; page 8, lines 4-18; Figure 1; reference numeral 24) configured to expand outward from the filter longitudinal axis and being coupled to an anchoring member (for example specification page 2, line 21 to page 3, line 13; page 7, line 3 to page 8, line 10; page 10, lines 10-13; page 13, lines 3-10; page 19, line 11-13; page 20, lines 9-19; Figures 1, 2, 5, 6, 9, and 10; reference numeral 26) configured to releasably secure the blood clot filter device to the inner wall of the blood vessel; a plurality of filter tubes (for example, specification page 3, lines 2-13; page 8, line 11 to page 9, line 21; Figures 1, 5, 6 and 11; reference numeral 30) each having a first end (for example, specification page 8, lines 11-16; Figure 1; reference numeral 32), a second end (for example, specification page 8, lines 11-14; Figures 1, 5, and 6; reference numeral 34), and an inner lumen (for example, specification page 8, lines 11-14; page 9, lines 10-12; page 13, lines 7-10; Figures 1, 5, and 6; reference numeral 36) configured to slidably receive the support members therein, the first end of each filter tube being joined together at a hub (for example, specification page 3, lines 3-13; page 8, lines 14-16; page 18, lines 15-19; page 20, lines 11-13; Figures 1, 2, and 10-12; reference numeral 38); and a retrieval apparatus (for example, specification page 3, lines 8-13; page 14, line 14 to page 15, line 8; page 18, lines 20-21; page 19, lines 4-6; page 20, lines 1-22; Figures 8-13; reference numeral 76) for retrieving or repositioning the blood clot filter device within the blood vessel, the retrieval apparatus including a tubular inner member (for example, specification page 14, line 18 to page 17, line 14; page 18, lines 15-19; page 20, lines 1-13; Figures 8-12; reference numeral 78) configured to grasp the apical head, a middle tubular member (for example, specification page 14, line 18 to page 17, line 8; page 18, lines 12-19; page 20, lines 6-13; Figures 8-12; reference numeral 80) configured to engage the hub, and an outer sheath (for example, specification page 14, line 18 to page 17, line 8; page 18, line 20 to page 19, line 3; page 20, lines 16, lines 16-22; Figures 8 and 13; reference numeral 82) for encapsulating the blood clot filter device.

Turning now to independent claim 16, which is directed to which is directed to a filter system including a retrievable blood clot filter device (see for example, specification page 2, line 18 to page 3, line 7; page 6, line 12 to page 8, line 20; Figures 1, 2, and 9-13; reference numeral 10), including an apical head (see for example, specification page 2, line 19; page 6, line 14 to page 7, line 2; Figures 1, 2, and 9-13) and a plurality of elongated filter legs (for example specification page 2, lines 19-23; page 6, line 14 to page 7, line 4; Figures 1, 2, 5, 6, and 9-13; reference numeral 14) each having a joined end section (for example specification page 6, lines 15-20; Figure 1; reference numeral 16) and a free end section (for example, specification page 6, line 15; page 7, line 6; page 8, line 20 to page 9, line 2; Figures 1, 5, and 6; reference numeral 18), each filter leg including a support member (for example specification page 2, line 23 to page 3, line 2; page 7, line 1 to page 8, line 18; Figures 1, 5, and 6; reference numeral 20) having a first end (for example, specification page 7, lines 1-4; Figure 1; reference numeral 22) coupled to the apical head, and a second end (for example, specification page 7, lines 1-4; page 8, lines 4-18; Figure 1; reference numeral 24) coupled to an anchoring member (for example specification page 2, line 21 to page 3, line 13; page 7, line 3 to page 8, line 10; page 10, lines 10-13; page 13, lines 3-10; page 19, line 11-13; page 20, lines 9-19; Figures 1, 2, 5, 6, 9, and 10; reference numeral 26) configured to releasably secure the blood clot device to the inner wall of a blood vessel; a plurality of filter tubes (for example, specification page 3, lines 2-13; page 8, line 11 to page 9, line 21; Figures 1, 5, 6 and 11; reference numeral 30) each having a first end (for example, specification page 8, lines 11-16; Figure 1; reference numeral 32), a second end (for example, specification page 8, lines 11-14; Figures 1, 5, and 6; reference numeral 34), and an inner lumen (for example, specification page 8, lines 11-14; page 9, lines 10-12; page 13, lines 7-10; Figures 1, 5, and 6; reference numeral 36) configured to slidably receive the support members therein, the first end of each filter tube being coupled to a hub (for example, specification page 3, lines 3-13; page 8, lines 14-16; page 18, lines 15-19; page 20, lines 11-13; Figures 1, 2, and 10-12; reference numeral 38); and a retrieval apparatus (for example, specification page 3, lines 8-13; page 14, line 14 to page 15, line 8; page 18, lines 20-21; page 19, lines 4-6; page 20, lines 1-22; Figures 8-13; reference numeral 76)

for retrieving or repositioning the blood clot filter device within the blood vessel, the retrieval apparatus including a tubular inner member (for example, specification page 14, line 18 to page 17, line 14; page 18, lines 15-19; page 20, lines 1-13; Figures 8-12; reference numeral 78) configured to grasp the apical head, a middle tubular member (for example, specification page 14, line 18 to page 17, line 8; page 18, lines 12-19; page 20, lines 6-13; Figures 8-12; reference numeral 80) configured to engage the hub, and an outer sheath (for example, specification page 14, line 18 to page 17, line 8; page 18, line 20 to page 19, line 3; page 20, lines 16, lines 16-22; Figures 8 and 13; reference numeral 82) for encapsulating the blood clot filter device.

VI. GROUND OF REJECTION TO BE REVIEWED ON APPEAL

Whether claims 16, 17, 20, 21, 25, and 33-35 are unpatentable under 35 U.S.C. §103(a) over Ravenscroft et al., U.S. Patent No. 6,007,558, in view of Suon et al., U.S. Patent No. 6,342,062.

Whether claims 1, 2, 5, 6, 9, and 19 are unpatentable under 35 U.S.C. §103(a) over Ravenscroft et al., U.S. Patent No. 6,007,558, in view of Suon et al., U.S. Patent No. 6,342,062, and Whitcher et al., U.S. Patent No. 6,273,901.

Whether claims 24 and 36 are unpatentable under 35 U.S.C. §103(a) over Ravenscroft et al., U.S. Patent No. 6,007,558, in view of Suon et al., U.S. Patent No. 6,342,062, as applied to claims 16 and 35 and further in view of Herbert et al., U.S. Patent No. 6,482,221.

VII. ARGUMENT

A. CLAIMS 16, 17, 20, 21, 25, AND 33-35 ARE PATENTABLE OVER RAVENSCROFT ET AL. IN VIEW OF SUON ET AL. UNDER 35 U.S.C. §103(A).

CLAIMS 1, 2, 5, 6, 9, AND 19 ARE PATENTABLE OVER RAVENSCROFT ET AL. AND SUON ET AL. AND FURTHER IN VIEW OF WHITCHER ET AL. UNDER 35 U.S.C. §103(A).

CLAIMS 24 AND 36 ARE PATENTABLE OVER RAVENSCROFT ET AL. AND SUON ET AL. AND FURTHER IN VIEW OF HEBERT ET AL. UNDER 35 U.S.C. §103(A).

1. Prior art references must teach all of the claimed limitations.

To establish *prima facie* obviousness of a claimed invention, all claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981,180 USPQ 580 (CCPA 1974).

Independent claims 16 and 1 recite, in part, respectively: “a retrieval apparatus for retrieving or repositioning the blood clot filter device within the blood vessel, the retrieval apparatus including an inner member configured to grasp the apical head, a middle tubular member configured to engage the hub, and an outer sheath for encapsulating the blood clot filter device” and “a retrieval apparatus for retrieving or repositioning the blood clot filter device within the blood vessel, the retrieval apparatus including a tubular inner member configured to grasp the apical head, a middle tubular member configured to engage the hub, and an outer sheath for encapsulating the blood clot filter device”.

In the final Office Action, the Examiner explicitly states “However, Ravenscroft reference does not disclose a retrieval means for retrieving the filter.” As noted earlier, Ravenscroft et al. do appear to disclose variant retrieval means and methods at column 5, line 65 to column 6, line 53. Although not all details of the retrieval methods are explicitly presented, each of those retrieval means appear to function by grasping a portion of the filter at a single point, either head 12 or pull rod 36, while advancing a catheter or similar tubular unit (not shown) over one or both of long shafts 32 and tubes 25. Retrieval proceeds: “Then the hub 12 is drawn into the catheter to collapse the entire filter 10 within the catheter.” In each case, a “catheter”, “similar tubular unit”, or a “removal tube” acts in conjunction with a single grasping element and passes beyond enough of the legs to cause them to collapse within the single removal element. It should be noted that various means are used by Ravenscroft et al. to withdraw hooks 28 from the vessel wall and consequently the filter into the retrieval tube each include one grasping

element and one generally tubular element with no other elements which might correspond to a middle tubular element of the claims.

Although Ravenscroft discloses various filters comprising arrangements of hubs (sometimes referred to as a sleeve), tubular elements, and long shafts, only the embodiment of Figures 7 and 8 (and 10) in which the tubes 26 are connected to sleeve 38 appears relevant. In the embodiment of Figs. 1-3, there are no filter tubes. In the embodiment of Fig. 4-6, it is the tubular legs 26 which are connected to hub 12, while long shafts 32 are connected to ring 34 on the end of a pull rod 36. (See column 6, lines 9-24.) “Thus for removal, while the filter is still in place, the pull rod is grasped and the hooks pulled into the tubular legs 26. Then a removal tube is moved over the arms 20 and 26 to collapse the filter.” (Emphasis added.) Thus the embodiments of Figs. 1 and 4 do not provide the filter structure recited in independent claims 16 and 1. In the embodiment of Fig. 4 only pull rod 36 is grasped during retrieval into a single removal tube.

In the cited embodiment of Fig. 8, as disclosed at column 6, lines 27-53, the tubes are explicitly advanced relative to shafts 32 by the thermally induced deflection of washers 40 as shown in Figs. 7 and 8. As will be seen in those figures, a lone catheter, or other retrieval tube, of Ravenscroft et al. which is capable of advancing relative to the filter to encompass the tubes 26 and shafts 32, thereby collapsing them toward the central axis of the filter, necessarily will be larger than sleeve 38 since it must also pass the enlarged base of hub 12 and the washers 40, which are of the same size as sleeve 38, in order to move over tubes 26 while unspecified retrieval structure grasps and withdraws hub 12.

Each of the retrieval methods of Ravenscroft et al. teaches a grasping element and a single tubular element which then engulfs the filter; however Ravenscroft et al. do not appear to disclose “a middle tubular member configured to engage the hub”, the hub in question being located where the first end of each filter tube is coupled or joined together as recited in claims 16 and 1. The relevant apparatus of Ravenscroft et al. relies upon thermal activation of washers 40 to withdraw the hooks and does not employ a middle tubular member which engages sleeve 38 for that purpose. Accordingly, any modification of Ravenscroft et al. which introduces a middle tubular member within the

outer catheter, or other tubular member, to engage sleeve 38 thereby moving tubes 26 relative to shafts 32 would impermissibly alter the principle of operation of the removal apparatus of Ravenscroft et al. (MPEP 2143.01, VI.), particularly if the newly introduced tubular member also served to collapse the filter toward its longitudinal axis, which function is provided by the outer catheter in the embodiment of Figure 8 of Ravenscroft et al.

In the Advisory Action mailed September 15, 2009, the Examiner affirms that Ravenscroft et al. were not relied upon to disclose “a middle tubular member configured to engage the hub” as recited in both claims 16 and 1. Instead, the Examiner has asserted that it would have been obvious to replace the retrieval apparatus and thermally activated hook withdrawing washers of the filter of Ravenscroft et al. with a retrieval apparatus of Suon et al. thereby altering both the method of withdrawing the hooks and the method of collapsing the filter within the catheter or retrieval tube, said methods being the result of the operation of the described structure found in Figs. 7 and 8 of Ravenscroft et al.

As noted in the Advisory Action with respect to Suon et al., “It is the Examiner’s position that the middle tubular member (60) is CAPABLE of engaging the hub.” (Emphasis in the original.) This capability is said to be possible “if the hub is not centered within the tubular member”. As noted by MPEP 2112, IV:

“To establish inherency, the extrinsic evidence ‘must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill. Inherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient.’ ”

The Examiner further acknowledges that “the middle tubular member of Suon et al. is larger than structure 12 (analogous to the hub of Ravenscroft et al.)”. For convenience, the referenced Figure 5 of Suon et al. again is reproduced below:

38 and thus would render the filter disclosed by Ravenscroft's Figure 8 irretrievable within the thus modified retrieval system of Ravenscroft et al. and so unsuited for its intended purpose. (MPEP 2143.01, V.) In the alternative, if the thermally activated hook retraction components of Figure 8 are to be utilized as described by Ravenscroft et al. there would appear to be no motivation for the introduction of a middle tubular member resembling tube 60 of Suon et al. because the catheter or retrieval tube of Ravenscroft et al. already provides that function without the undesirable addition of a third tubular member.

For at least these reasons Ravenscroft et al. in view of Suon et al. as applied to independent claim 16 do not appear to teach all the claim limitations, as is required to establish a *prima facie* case of obviousness.

Similar arguments apply to claim 1 which was also rejected under 35 U.S.C. §103(a) over Ravenscroft et al. and Suon et al. and in further view of Whitcher et al. Whitcher et al. was relied upon to supply "a landing pad fixedly secured to the second end of each filter tube" found in claim 1, but not in claim 16. The cited Figure 8, reference numeral 42A of Whitcher et al. is described at column 5, lines 57-58: "Referring to FIG. 8, the substrate 42 is shown in the form of a pad 42A which is secured to the strut 16C." The landing pads of Whitcher et al., were they to be attached to the elongated shafts 32 of Ravenscroft et al. in the manner taught by Whitcher would render the hooks of Ravenscroft et al. incapable of being withdrawn within the tubes 26 and thus would impermissibly alter the principle of operation of Ravenscroft et al.; render apparatus of Ravenscroft et al. unsuited for its intended purpose of providing a filter having hooks retractable within tubular elements; and fail to provide "a landing pad fixedly secured to the second end of each filter tube" as recited in claim 1. (Emphasis added.)

Whitcher et al. do not overcome other deficiencies of Ravenscroft et al. and Suon et al. as applied to claim 1 discussed in detail above. For at least these reasons, Ravenscroft et al. and Suon et al. and in further view of Whitcher et al. as applied to independent claim 1 do not appear to teach all claim limitations, as is required to establish a *prima facie* case of obviousness.

Claims 24 and 36 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ravenscroft et al. in view of Suon et al. as applied to claims 16 and 35 and further in view of Hebert et al. Hebert et al. is asserted to provide a braided tubular inner member, the braided member having been acknowledged to be missing from Suon et al. It will be noted that claim 16 from which independent claims 24 and 36 ultimately depend does not recite a "braided" inner member and thus Hebert et al. does not overcome the deficiencies of Ravenscroft et al. and Suon et al. as applied to independent claim 16.

2. *If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious.*

Claims 2, 5, 6, 9, 17, 19-21, 24, 25, and 33-36, depend from nonobvious independent claims 1 and 16 respectively.

B. CONCLUSION.

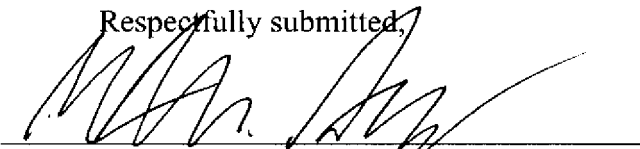
For the reasons stated above, claim 16 is nonobvious over Ravenscroft et al. in view of Suon et al.; claim 1 is nonobvious over Ravenscroft et al. in view of Suon et al. and Whitcher et al.; and the Examiner's rejections of claims 16 and 1 under 35 U.S.C § 103 should be overruled.

Further, claims 2, 5, 6, 9, 17, 19-21, 24, 25, and 33-36, which depend from nonobvious independent claims 1 and 16 respectively, are also believed to be nonobvious and the Examiner's rejections of those claims should be overruled.

Date:

Feb. 9, 2010

Respectfully submitted,



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VIII. CLAIMS APPENDIX

1. A retrievable blood clot filter actuatable between a collapsed position and an expanded position within a blood vessel, comprising:

an apical head defining a filter longitudinal axis;

a plurality of elongated filter legs each having a joined end section and a free end section, each filter leg including a support member having a first end coupled to the apical head, and a second end configured to expand outwardly away from the filter longitudinal axis and being coupled to an anchoring member configured to releasably secure the blood clot filter device to the inner wall of the blood vessel;

a plurality of filter tubes each having a first end, a second end, and an inner lumen configured to slidably receive the support members therein, the first end of each filter tube being joined together at a hub, and a landing pad fixedly secured to the second end of each filter tube; and

a retrieval apparatus for retrieving or repositioning the blood clot filter device within the blood vessel, the retrieval apparatus including a tubular inner member configured to grasp the apical head, a middle tubular member configured to engage the hub, and an outer sheath for encapsulating the blood clot filter device.

2. The retrievable blood clot filter device of claim 1, wherein said plurality of filter tubes are formed of one or more segments of tubing or sheathing.

3. The retrievable blood clot filter device of claim 1, wherein said plurality of filter tubes are formed of coiled tubing.

4. (Cancelled)

5. The retrievable blood clot filter device of claim 1, wherein the anchoring member includes a bending region.

6. The retrievable blood clot filter device of claim 1, wherein the hub is an annular-shaped hub.

7. The retrieval blood clot filter device of claim 6, wherein the annular-shaped hub includes one or more internal notches or slots formed therein.

8. (Cancelled)

9. The retrievable blood clot filter device of claim 1, wherein said retrieval means includes a retrieval apparatus configured to retrieve the blood clot filter device using a jugular approach.

10-15. (Cancelled)

16. A filter system, comprising:

a retrievable blood clot filter device including an apical head, and a plurality of elongated filter legs each having a joined end section and a free end section, each filter leg including a support member having a first end coupled to the apical head, and a second end coupled to an anchoring member configured to releasably secure the blood clot filter device to the inner wall of a blood vessel;

a plurality of filter tubes each having a first end, a second end, and an inner lumen configured to slidably receive the support members therein, the first end of each filter tube being coupled to a hub; and

a retrieval apparatus for retrieving or repositioning the blood clot filter device within the blood vessel, the retrieval apparatus including an inner member configured to grasp the apical head, a middle tubular member configured to engage the hub, and an outer sheath for encapsulating the blood clot filter device.

17. The filter system of claim 16, wherein said plurality of filter tubes are formed of one or more segments of tubing or sheathing.

18. The filter system of claim 16, wherein said plurality of filter tubes are formed of coiled tubing.

19. The filter system of claim 16, further comprising a landing pad coupled to the second end of each filter tube.

20. The filter system of claim 16, wherein the anchoring member includes a bending region.

21. The filter system of claim 16, wherein the hub is an annular-shaped hub.

22. The filter system of claim 21, wherein the annular-shaped hub includes one or more internal notches or slots formed therein.

23. The filter system of claim 22, wherein said middle tubular member includes one or more fins insertable through said one or more notches or slots.

24. The filter system of claim 16, wherein said inner member comprises a braided tubular member.

25. The retrievable blood clot filter device of claim 16, wherein the retrieval apparatus is configured to retrieve the blood clot filter device using a jugular approach.

26. The retrievable blood clot filter device of claim 16, wherein the retrieval apparatus is configured to retrieve the blood clot filter device using a femoral approach.

27-32. (Cancelled)

33. The filter system of claim 16 wherein the inner member has a cylindrical distal section.

34. The filter system of claim 16 wherein the inner member is tubular.
35. The filter system of claim 33 wherein the inner member distal section is configured to radially expand when compressed in a direction along its length.
36. The filter system of claim 35 wherein the distal section comprises a braided layer.

IX. EVIDENCE APPENDIX

No additional evidence has been presented.

X. RELATED PROCEEDINGS APPENDIX

None.